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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANDY WALTER JOHNSON,

Defendant.

2:13-cr-317-KJD-GWF

**EXPEDITED MOTION TO CONTINUE
EVIDENTIARY HEARING ON
DEFENDANT'S MOTION TO
SUPPRESS EVIDENCE**

The United States of America, by and through DANIEL G. BOGDEN, United States Attorney, and AMBER M. CRAIG, Assistant United States Attorney, respectfully moves this Court to continue the evidentiary hearing on Defendant's Motion to Suppress Evidence, currently scheduled for June 12, 2014, at 1:30 p.m., for one day, or to a date and time to be set at the Court's convenience.

This motion is entered into based on the following:

1. As the Court is aware, two Las Vegas Metropolitan Police Department officers were tragically killed in the line of duty on June 8, 2014. The funeral for Officer Igor Soldo will be held on June 12, 2014, at 11:00 a.m., and is expected to last several hours. Government counsel and all of the Government's witnesses would like to attend the funeral. As such, the Government is requesting a very brief continuance of the evidentiary hearing.

2. Government counsel sought the Defendant's agreement to continue the hearing, but

1 counsel for the Defendant requested that the Government file a motion to continue.

2 3. The additional time requested by this Stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
4 States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, United
5 States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).

6 DATED this 11th day of June, 2014.

7 Respectfully Submitted,

8 DANIEL G. BOGDEN
9 United States Attorney

10 /s/ Amber M. Craig
11 AMBER M. CRAIG
12 Assistant United States Attorney
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

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**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

FINDINGS OF FACT

Based upon the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Two Las Vegas Metropolitan Police Department officers were killed in the line of duty on June 8, 2014. The funeral for Officer Igor Soldo will be held on June 12, 2014, at 11:00 a.m., and is expected to last several hours. Government counsel and all of the Government's witnesses would like to attend the funeral. As such, the Government is requesting a very brief continuance of the evidentiary hearing.

2. The additional time requested by this Motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the Defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the

1 exercise of due diligence.

2 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
3 States Code, Sections 3161(h)(1)(A), (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).

4 **ORDER**

5 IT IS THEREFORE ORDERED that the evidentiary hearing on Defendant's Motion to
6 Suppress Evidence, currently scheduled for June 12, 2014, at 1:30 p.m., be vacated and continued to
7 the 18th day of June, 2014, at the hour of 10:00 a.m.

8 DATED this 11th day of June, 2014.

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11 HONORABLE GEORGE FOLEY
12 UNITED STATES MAGISTRATE JUDGE
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